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PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Applicant: Scott Eugene Conner	Group Art Unit: 1626
Serial No.: 10/540,341	Examiner: Chu, Yong Liang
Application Date: December 31, 2003	Conf No.: 1424
US Nat'l Entry Date (if applicable): June 21, 2005	
For: HETEROCYCLIC PPAR MODULATORS	
Docket No.: X-15463	

REPLY UNDER 37 C.F.R. 1.111 & AMENDMENT UNDER 37 C.F.R. 1.121

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Introductory Comments

In response to the Restriction Requirement dated 7 December 2006, and for which a response is due 7 January 2007, for the above identified patent application, entry of the following remarks, election and amendments to the claims in response to the restriction requirement is respectfully requested. Applicants note that 7 January 2007 is a Sunday, therefore, the response is timely filed on 8 January 2007.

Claims 1-3, 5-6, 8-39, 41-54, 56-59, and 63-65 are currently pending in the application and are subject to restriction under 35 U.S.C. 121 and 372. The application is subject to a restriction requirement comprising 26 groups. Applicants elect, with traverse, the compounds of Group III. That

is, Claims 1-3, 5-6, 8-39, and 41-54 (in part) drawn to products of formula I' wherein R2 is a C0-C6 alkyl, X is a single bond, U is an aliphatic linker, Z1 is N, Z2 is N, and Z3 is C.

Applicants hereby reserve the right to file one or more divisional applications to claim non-elected or withdrawn subject matter.

Applicants provide herein a preliminary amendment to Claim 1 with current listing of the claims and remarks to support the traversal of the present restriction grouping..

Applicants respectfully note their timely election in response to the first restriction requirement dated December 7, 2006. Applicants wish to note the timely responses for purposes of any applicable patent term adjustment for the present application.

The amendments to the Claims begin on page 3. A complete listing of the current claims is included and shall replace all previous versions of the claims. Entry of the amendments to the claims is respectfully requested.

The remarks and arguments supporting traversal of the present Grouping begin on page 16. Applicants request entry of the amendments to the Claims and reconsideration regarding the present restriction requirement.

Please amend the accompanying application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Remarks begin on page 16 of this paper.